

REMARKS

Applicants have corrected the modifier for claims 11, 13, and 15 to show them as withdrawn.

Claims 1, 3-10, 12-14, and 16-22 again stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujioka et al. (WO 02/100977. As the Examiner correctly notes:

Applicant has submitted a Declaration Under Rule 131 with the intent to show reduction to practice prior to December 19, 2002. The examiner submits that the declaration only shows reduction to practice of one embodiment comprising AlQ₃ host, quinacridone emitter and a naphthacene stabilizer. Applicant has not shown reduction to practice of a device comprising AlQ₃ host, coumarin emitter ("Formula 2"), and a naphthacene stabilizer. It is this combination of host and dopants which was considered and rejected over the WO '977 reference in the last Office action.

Accordingly, the rejection over WO '977 is maintained.

Applicants apologize for having submitted Rule 131 Declaration data within the scope of the generic claims but not within the claims directed to the elected species. This was an oversight. The enclosed Second Declaration Under Rule 131 is specifically directed to the elected combination of Inv-8a (coumarin emitter) and Inv-1b (t-BuDPN) naphthacene emitter. Exhibit A shows the combination of host Al, green emitter C545T (coumarin) (Dopant 1) and t-BuDPN (196a) naphthacene stabilizer (Dopant 2). Exhibit B pages provide the resulting CIE and Yield values as shown in Table 3 for each of the samples tested. Exhibit C graphs the rate of fade for each of the test samples with the right-most values corresponding to the values in the 7th column of Table 3. The graph is based on numerical results as exemplified by Exhibit D for sample LC020812-2B1, dated prior to December 19, 2002 (date has been redacted at Item 3.)

This data clearly demonstrates that the invention of the elected species was reduced to practice prior to December 19, 2002. The laboratory records for the data contained in all of Tables 1-6 of the specification also antedate December 19, 2002. Submission of the data concerning quinacridone reduction to practice with the prior response was and is relevant to the generic invention but was inadvertently submitted rather than the data more relevant to the elected species of the second Declaration.

It is believed that the present submission places the application in condition for allowance and that the reason for not having submitted the information sooner has been adequately explained. The Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,



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Enc: Second Declaration Under Rule 131
Exhibits A-D

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.